

IN THE UNITED STATES DISTRICT COURT  
FOR THE ~~NORTHERN~~ DISTRICT OF PENNSYLVANIA  
MIDDLE

14-921

Name and address of Plaintiff:

CRUG ALFORD  
301 NORTH ROAD  
FETTERVILLE, PA 17932

v.

CIVIL CASE #

COMPLAINT

(PLEADING INFORMATION)

Full name, title, and business address  
of each defendant in this action:

1 JUDGE MUMFORD, U.S. D.C.  
P.O. Box 1148  
SCRANTON, PA 18501

2 JUDGE BLUMBERG, U.S. D.C.  
P.O. Box 1148  
SCRANTON, PA 18501

Use additional sheets, if necessary

Number each defendant.

3) JUDGE MUMFORD, U.S. D.C.  
P.O. Box 1148  
SCRANTON, PA 18501

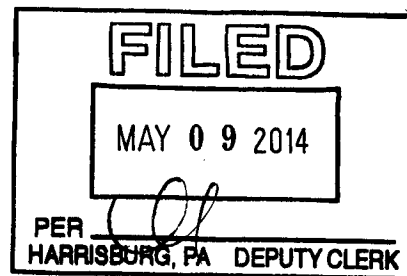
Plaintiff brings this action against the above named and identified defendants on the following cause of action:

I. Where are you now confined? SCI MONTICELLOWhat sentence are you serving? 9-10 YEARSWhat court imposed the sentence? MONTGOMERY COUNTY

II. Previous Lawsuits

A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs CRUG ALFORDDefendants LAQUISE, KREMER, TRITT, WETZEL,AND VALENTE.2. Court (if federal court, name the district; if state court, name the county) and docket number  
UNITED STATES DISTRICT COURT / MIDDLE DISTRICT / 3:14-CV-13

3. Name of judge to whom case was assigned MUNCEY / MENTCHICK

4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)  
PENDING

5. Approximate date of filing lawsuit JANUARY 2014

6. Approximate date of disposition NONE

B. Prior disciplinary proceedings which deal with the same facts involved in this action:

Where? \_\_\_\_\_

When? \_\_\_\_\_

Result: \_\_\_\_\_

III. What federal law do you claim was violated? 1ST, 5TH,

8TH, and 14TH AMENDMENT, F.R. CIV. P.

IV. Statement of Claim TITLE 28 JUDICIARY AND JUDICIAL PROCEDURES OF THE U.S.C. UNITED STATES SUPREME COURT DECISIONS, MAGISTRATE ACT, RULE 8(b) OF FEDERAL RULES, ARTICLE III AND THE 5TH AMENDMENT DUE PROCESS CLAUSE.

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.) (SEE ATTACHED COMPLAINT 14-19)

A. Date of event: BEGINNING JANUARY 2013

B. Place of event: UNITED STATES DISTRICT COURT, SCRANTON, PA

C. Persons involved--name each person and tell what that person did to you:

JUDGE MUNCEY HAS VIOLATED MY 1ST, 5TH, 8TH, AND 14TH AMENDMENT OF THE U.S. CONSTITUTION. AS WELL AS JUDGE MENTCHICK AND BENNETT. SEE COMPLAINT IN DETAIL ATTACHED. THEY VIOLATED THE F.R. CIV. P. AND THE UNITED STATES CODE, TITLE VI VIOLATED THE JUDICIARY AND JUDICIAL PROCEDURES, VIOLATED THEIR OATHS TO UPHOLD THE CONSTITUTION, COMMITTED JUDICIAL MISCONDUCT / ABUSE, JUDGE MUNCEY HAS VIOLATED THE MAGISTRATE ACT WHEN HE REFUSED TO MAKE A DE. NOND DISSEMINATION TO MY OFFICIALS, VIOLATED HIS RULE 8(b), ARTICLE III AND THE 5TH AMENDMENT DUE PROCESS CLAUSE. JUDGE BENNETT HAS COMMITTED EX. PARTE COMMUNICATION. JUDGE MUNCEY HAS ILLEGITIMATELY DELAYED MY MATTER, THESE ILLEGITIMATE MOTIVATES, AND HE DENIES ME ACCESS TO THE COURT AND JUDGE MENTCHICK & BENNETT JUDGE IS RULING IN MY CASE WHEN SHE CANNOT

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

V. Did the incident of which you complain occur in an institution or place of custody in this District?

If so, where?

YES, MIDDLE DISTRICT COURT AND SCRIPPS  
PH

and answer the following questions:

A. Is there a prisoner grievance procedure in this institution?

Yes (☒) No (☐)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes (☐) No (☒) BECAUSE MY MATTER DO NOT CONCERN  
AN INSTITUTIONAL GRIEVANCE. HOWEVER, I DID COMPLAIN TO THE  
MIDDLE DISTRICT COURT, AND THE 9TH CIRCUIT.

C. If your answer is YES,

1. What steps did you take? \_\_\_\_\_

2. What was the result? \_\_\_\_\_

D. If your answer is NO, explain why not: CHALLENGING

FEDERAL JUDICIAL REVIEW AND PRISON GRIEVANCE  
SYSTEM WILL NOT BRING ME RELIEF

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?

Yes (☐) No (☒)

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_

2. What was the result? \_\_\_\_\_

VI. Relief SEE ATTACHED COMPLAINT

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no

cases or statutes. DECLARE THAT THE DEFENDANT'S ACTIONS  
VIOLATE THE CONSTITUTION, \$100,000 IN COMPENSATORY +  
\$100,000 IN PUNITIVE DAMAGES FROM EACH  
DEFENDANT, RECOVERY OF COST IN THIS SUIT,  
TRIAL BY JURY Preliminary injunction  
for 10-12 months and mechanical to  
hear and decide 25 of 25 cases.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

5/14/14  
(Date)

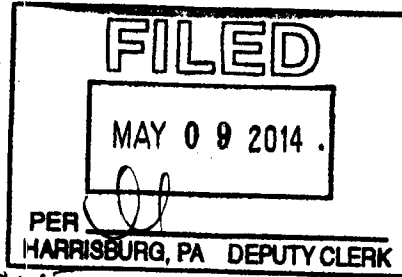
Craig A. Foran  
(Signature of Plaintiff)

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

Craig Alford,  
Plaintiff

v.

JAMES MUNLEY, KRAUSE  
METARCHICH, THOMAS BLEWEE,  
Defendants



CIVIL ACTION # \_\_\_\_\_  
COMPUTER  
(PRELIMINARY INSTRUCTIONS)

### JURISDICTION AND VENUE

- 1) This is a civil action authorized by <sup>28</sup> ~~the~~ U.S.C. § <sup>1331</sup> ~~1332~~ to redress the wrong and deprivation, under color of state law, of rights secured by the Constitution of the United States (SPECIFICALLY, THE 1ST, 5TH, 8TH, and 14TH AMENDMENTS OF THE UNITED STATES CONSTITUTION). The court has jurisdiction under 28 U.S.C. § 1331 and § 1343 (2)(3). Plaintiff Alford seeks declaratory relief pursuant to 28 U.S.C. § 2201 and § 2202.
- 2) The Middle District of Pennsylvania is an appropriate venue under 28 U.S.C. § 1391(b)(2) because it is where the events giving rise to this case occurred.

### PLAINTIFF

- 3) Plaintiff Craig Alford, is and was at all times mentioned herein a prisoner of the State Correctional Institution at Mahanoy in the custody of the Pennsylvania Department of Corrections. He is currently confined at SCI Mahanoy, 201 Monaca Road, Freeville, PA 17932.

### DEFENDANTS

- 4) Defendant James Munley is a judge of the United States District Court for the Middle District of Pennsylvania and is responsible for hearing cases of writ of habeas corpus and 1983 civil suits, and for making a de novo determination of Magistrate judges report and recommendations or Memorandum and Orders. And is responsible for disposing of habeas petitions and 1982 civil actions in a speedy manner, that is fair, efficient, and prompt, and is to promote public confidence in the impartiality of the judicial system, and is to follow the rules of the court.

- 6) Karoline Mchaldrich is a magistrate judge for the United States District Court for the Middle District of Pennsylvania and is responsible for writing reports and recommendations on writ of habeas corpus or 1983 civil actions, or to write a Memorandum and order, and to disposition habeas petitions and 1983 civil actions in a speedy manner, and must uphold her oath.
- 6) Thomas Blewett is a magistrate judge for the United States District Court for the Middle District of Pennsylvania and is responsible for writing memorandums and orders/reports and recommendations on writ of habeas corpus and 1983 civil actions, and to disposition habeas petitions and 1983 civil actions in a speedy manner, and must uphold his oath, and committed ex parte communication.
- 7) Each defendant is sued individually and I seek an permanent injunction from the defendants of hearing my case or making a ruling at civil action # 3:14-cv-13 and 3:13-cv-2802 that's pending before the courts, and at all times mentioned in this complaint each defendant acted under color of state law.

### 28 U.S.C. § 1331

- 8) A district court shall have original jurisdiction of all civil actions arising under the constitution, laws or treaties of the United States. You cannot use 1983 to sue federal officials, and plaintiff Alford is using section 1331 to challenge violation of constitutional rights. Section 1331 gives federal courts the power to hear claims against federal government.

### Facts

- a) on December 31, 2012 plaintiff Alford filed (2) writ of habeas corpus at 3:12-cv-2616 and 3:12-cv-2617. Judge Munby merged these matters since it named both Pennsylvania Board of Probation and Parole as respondents. This matter was appointed to Judge Blewett for disposition... Petitioner sought the appointment of counsel, and numerous summary judgment on the undisputed grounds. Alford put (12) grounds before the court on why he is incarcerated in violation of the

- constitution, laws, or treaties, but only 5 of plaintiff grounds was answered. Plaintiff Alford timely objected to the memorandum and order by judge Blewitt, judge Munley "did not" make a de-novo determination as he was obligated to after timely objections, and petitioner filed a timely notice of appeal, that judge Munley merged with my objection but plaintiff Alford filed separately, and erred in his case. Judge Blewitt decision is contrary to law, plain error, and manifest injustice, and judge Munley failed to intervene, and rubber stamped the exact same argument as respondents and failed to consider plaintiffs exhibits which is a violation of the magistrate's, Rule 26(b)(7) and the 5th Amendment.
- 10) Plaintiff Alford filed another writ of habeas corpus, a separate matter at civil action 3:13-cv-0435 against Pennsylvania Department of Corrections. Judge Munley and judge Blewitt was assigned the case. This matter was taking long to disposition, petitioner sought summary judgment that was denied. The respondents counsel, committed "Ex Parte Communitas" using the judge's office for a favorable recommendation and no longer looked to prosecute this matter and looked for Monroe County District Attorney's office to assure defense they failed to submit any records, and the only record before the court was of petitioner's. This matter was switched from judge Blewitt to judge Melchick. Judge Melchick wrote a reported recommendation that plain error, manifest injustice, and was also a rubber stamp argument of the respondents, I timely objected because she (Melchick) merged a separate writ of habeas corpus argument with this one. Judge Munley also wrote a memorandum (de-novo) decision of no objection which was plain error, contrary to law, and judge Munley has failed to follow the law of his land. Plaintiff Alford constitutionally challenged state statutes. And this matter was analyzed under 42 U.S.C. § 1983 instead of 2254 and is in error of the legal analysis.
- 11) Plaintiff Alford filed another civil writ of habeas corpus, at civil action 3:13-cv-2800 that judge Melchick merged plaintiff's case law he submitted with 3:13-cv-0435. This case is still pending in the United States District Court and has been there for months. His habeas petition has been filed since November 6, 2013 and the habeas petition has not been sent to the respondents, the IEP application has not been dispositioned, the application for the appointment of counsel has not been dispositioned, plaintiff with other inmates raising the exact same claim (Crist Brewer lover sought a class action, sought a constitutional challenge of



- to state statute, sought for Judge Munkley and Judge Michaelchick to disqualify/recuse themselves pursuant to 28 U.S.C. § 455, however, for months Judge Munkley and Judge Michaelchick who have grvels by these matters in a docket sheet, has not moved petitioner matters forward and is denying petitioner/plaintiff to be occur by the court which is tantamount to taking jurisdiction. They are not allowing the rule of the court and denied me access to the court. This habitual delay has purely perjured me.
- 12) Plaintiff Alfred filed a 1983 civil action at civil action # 3:14-CV-13 against PRISON OFFICIALS that Judge Munkley merged with 3:13-CV-0435 which are unrelated cases (only a HABEAS PETITION, ONLY A CIVIL SUIT) and plaintiff filed such on December 20, 2013, and on 1-7-14 and administrative order was given to take 20% of all funds incoming - on January 15, 2014 the respondents authorized 20% of all incoming funds will be taken. Plaintiff sought US Marshall service to serve the respondents/defendants. Plaintiff Alfred also sought discovery. However, in all cases, the clerk of court will not see the docket sheets so plaintiff can see the status of the case, however, being a long time has passed, Alfred will seek default judgment, and Judge Munkley has failed to manage my case, and instruct the clerk to send my constitutional challenge to the A.C. office. On February 10, 2014 Alfred moved for writ of HABEAS CORPUS and on March 14, 2014 Plaintiff sought summary judgment by motion for the writ of HABEAS CORPUS. In the meantime, the Constitution of (13th Amendment) is in the envelope.
- 13) Plaintiff Alfred has tired everything in his power for refusal to change of venue to get away the two judges who has violated their oath and the constitution and exhausted his remedies with equal feet pursuant to 42 U.S.C. § 1997c.

### LEGAL CLAIMS

- 14) Plaintiff realleges and incorporate by reference paragraph 1-19,
- 15) Defendant Munkley has denied plaintiff access to the court, has violated the magistrat act, habeas rule 8(b), ARTICLE III, and the 5TH AMENDMENT, due process clause, of the United States Constitution. (SEE 3:12-cv-2616). He has



has denied plaintiff before access to the court. (see ~~the~~ 3:13-cv-2800; #3:14-cv-13.) and has failed to rule on petitioner matters or to move petitioner cases forward and illegally merging one for the other in unrelated cases. Judge Munley has deprived before of his due process rights and to move plaintiff before case forward so it can be dispositioned in a speedy manner. Judge Munley has failed to apply the Fed R. Civ. P. to before cases, he has failed to supervise his subordinates and failed to remedy a constitutional violation, and should be held accountable for failing to properly apply the law of the Court of the United States Supreme Court, and acted outside the scope of his official duties, and Judge Munley has acted that or not

judicial, and Judge Munley has acted that or not  
judicial is nature. And violated 15th, 5th, 8th, and 14th rights and his  
natural rights to due process and habeas corpus jurisdiction.  
And even when he did not legalise my matters as a 22nd inst of 1998.

16.) Judge McHolchich has failed to properly apply the law of  
the court of the United States Supreme Court and should be  
held accountable for her actions, she has did acts that are  
not judicial in nature. Judge McHolchich has acted  
outside of the scope of her official duties, allowed  
ex parte communication and was in contact with opposing  
counsel, counsel of one side (Mr. Doran, Esq) who sought a  
favorable decision and used the judges office for this  
favorable decision, and has failed to follow the Rules of  
Civil Procedure, and responded to a notice that she had no  
jurisdiction over the subject matter of the civil action. And has  
violated my 5th and 14th Amendment of the United States  
Constitution, and 8th Amendment rights.

17.) Judge Blewitt has also failed to properly apply the law of the court of the United States Supreme Court and should be held accountable for his actions. He has did acts that are not judicial in nature, and has acted outside of the scope of his judicial duties. Judge Blewitt was committing "EX. PARTIAL COMMUNICATORIAL" with RH/MARK W. DORTCH, ESQ. counsel for respondents at 3:13-CV-0435. MR. DORTCH used Judge Blewitt office for favorable decision, told Judge Blewitt he did not file any documents and that he looked for more county prosecutors office to remove defense of the matter which prejudiced plaintiff, resulting in an adverse decision. At 3:12-CV-26016 and 3:12-CV-26017 Judge Blewitt also failed to answer all (12) GROUND'S SUPERIOR plaintiff filed put before the court, and only answered (5) ground denying Alfred access to the court and to be fully heard which was another adverse decision by Judge Blewitt, who has also denied Alfred access to

the court in violation of the 15<sup>th</sup> Amendment, but has failed to apply the F.R. Civ. P. in Atford's case. At 3:12-cv-2616 Judge Blumenthal did nothing but rubber stamp, lift and copy, the exact same argument as the respondents and failed to consider any of Atford's filings/exhibits. Not once in his Memorandum do he refer to Atford's exhibits.

- 18) The defendants conduct clearly violates established statutory or constitutional rights of which a reasonable person would have known. They have failed to uphold their oath at 28 U.S.C. §435, and they had fair warning his/her actions was violating my rights. These judges has violated my 1<sup>st</sup>, 5<sup>th</sup>, 8<sup>th</sup>, and 14<sup>th</sup> Amendment of the United States Constitution.

### PRELIMINARY INJUNCTION

- 19) Plaintiff Atford seeks a preliminary injunction so plaintiff can suffer no more harm at the hands of defendants and so plaintiff matters at (Atford v. Ugras, et al., Case No. 3:14-cv-13 and Atford v. Kibbe, et al., Case No. 3:13-cv-2800) cannot be decided by Judge Munley or Magistrate Judge Mchalechich. At 3:12-cv-2800 Atford did not consent to magistrate, asked Judge Munley and Judge Mchalechich to disqualify/recuse themselves pursuant to 28 U.S.C. 455 that was next unanswered and the habitual delay to rule on petitioners habeas petition is tantamount to taking jurisdiction. So Plaintiff Atford's rights will not be further violated by the defendants, he asks that Judge Munley and Judge Mchalechich remove themselves from the cases. If not, plaintiff will suffer actual or imminent injury and that injury will be, worse off because of the alleged acts of these Federal judges. Plaintiff is incarcerated in violation of the constitution, law, or treaties of the United States, stated a claim, submitted exhibits proving his claims that are ignored. The injury plaintiff feels is ongoing with these judges. Plaintiff Atford is likely to show at trial that defendants violated my rights. Petitioner/plaintiff Atford has already suffered irreparable harm that can never be fixed. The harm plaintiff feels is greater than the harm these Federal judges will face if I get a preliminary injunction. A preliminary injunction will serve the public interest. And ask that the preliminary injunction goes into a permanent injunction. And ask that this court either transfer civil action 3:13-cv-2800 and 3:14-cv-13 to another judge in the District Court.

01. For fear of retaliation, transfer this matter and the other 2 cases to the Eastern District Court, where plaintiff will get a fair, prompt, and efficient tribunal to decide his constitutional claims.

### PRAYER FOR RELIEF

Wherefore, plaintiff prays that this court enter judgment:

- 20.) Granting plaintiff Alfred a declaratory that the acts and omissions described herein violates his rights under the constitution and laws of the United States; and
- 21.) Order a preliminary injunction against Judge Munter and McHalechick for deciding CIVIL Action No. 3:14-cv-13 and 3:13-cv-2000 and turning this into a permanent injunction and stopping the from ever hearing any of the cases, and transfer these cases to the Eastern District to dispose of.
- 22.) Granting Plaintiff Alfred \$100,000 in compensatory and \$100,000 in punitive damages against each defendant (Munter, McHalechick, and Blum) for violating and condoning plaintiff Alfred constitutional rights jointly and severally;
- 23.) Plaintiff Alfred seeks recovery of cost in this suit;
- 24.) Plaintiff Alfred also seeks a jury trial on all issues triable by jury; and
- 25.) any additional relief this court deems just, proper, and equitable; and
- 26.) the appointment of counsel because plaintiff is starting to be unable to write, is on psychological sleep medication, and it will be in the interest of justice to appoint counsel, and hands is starting to hurt for writing so much.

### VERIFICATION

I HAVE READ THE FOREGOING COMPLAINT AND HEREBY VERIFY THAT THE ALLEGES THEREIN ARE TRUE. EXCEPT AS TO MATTERS ALLEGED ON INFORMATION AND BELIEF AND, AS TO THOSE, I BELIEVE THEM TO BE TRUE. I CERTIFY UNDER THE PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED AT SAN ANTONIO  
ON APRIL 14, 2014

Craig Alfred  
Craig Alfred

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CRAIG ALFORD,

Petitioner

v.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE, et al.,

Respondents

: CIVIL ACTION NO. 3:CV-12-2616

:  
:  
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:  
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:  
:  
:

(Magistrate Judge Blewitt)

**FILED  
SCRANTON**

APR 30 2013

PER

M. L. P.  
DEPUTY CLERK**ORDER**

On December 31, 2012, Petitioner Craig Alford, an inmate SCI-Mahanoy, Frackville, PA, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254. (Doc. 1). Petitioner also filed a support Memorandum. (Doc. 2). Further, Petitioner filed a Motion to proceed *in forma pauperis*. (Doc. 3). Petitioner names as Respondents the PA Board of Probation and Parole ("PBPP") as well as the PA Attorney General. Petitioner appears to claim that after he was arrested on March 24, 2010, and charged by the New Jersey State Parole Board with two technical violations regarding his PA parole conditions, the PBPP failed to give him proper notice, a timely detention hearing, a probable cause hearing and a parole revocation/violation hearing, and thus violated his procedural due process rights. Petitioner states that after he was released by New Jersey authorities on April 1, 2010, he remained detained in prison in New Jersey on the PBPP's parole violation warrant. Petitioner then states that he was not given a parole revocation/violation hearing by the PBPP until October 28, 2010, which was not timely since it was required to be conducted within 120 days from April 1, 2010. (Doc. 1, p. 9). Thus, Petitioner claims that his present confinement in prison at SCI-Mahanoy, after he was found to have violated the conditions of his parole, is illegal.

On January 3, 2013, we issued a Show Cause Order and granted Petitioner's *in forma pauperis* Motion. We directed the Clerk of Court to serve Petitioner's habeas petition on Respondents, and we directed Respondents to respond to the habeas petition within twenty days. Petitioner was afforded ten days after Respondents' response to file a Traverse. (Doc. 9).

Subsequently, Respondents filed a motion for an extension of time to file their response and we granted it. (Doc. 13). Specifically, on January 30, 2013, we issued an Order and granted Respondents' Motion for Enlargement of Time. We afforded Respondents forty-five (45) days from the date of the Order to file their Answer to Petitioner's Petition for Writ of Habeas Corpus (Doc. 14). We also gave Petitioner ten (10) days after he was served with Respondents' response to file a Traverse.

On February 1, 2013, the parties consented to proceed before the undersigned. (Doc. 16).

On February 4, 2013, Petitioner filed his first Motion for Summary Judgment due to the failure of Respondents to respond to his habeas petition. (Doc. 17). Petitioner claimed that the court should grant his habeas petition and order his release from prison. Petitioner also filed a support brief with Exhibits, A & B. (Doc. 18). As stated above, on January 30, 2013, we issued an Order and granted Respondents' Motion for Enlargement of Time (Doc. 13) and directed that Respondents to file their response to Petitioner's habeas petition by March 15, 2013. We also found that Petitioner's Motion for Summary Judgment was not appropriate in a habeas case. Thus, on February 12, 2013, we issued an Order and dismissed Petitioner's Doc. 17 Motion for Summary Judgment. (Doc. 28).

On March 15, 2013, Respondents timely filed their Answer to Petitioner's habeas petition with Exhibits as well as a support brief. (Docs. 30 & 31). Respondents contend that Petitioner's habeas petition should be dismissed for procedural default and, that it should be denied on its merits for several reasons, including their contention that there were no due process violations. Respondents also filed Exhibits to support their contentions.

On March 15, 2013, Petitioner filed a second Motion for Summary Judgment and support brief. (Docs. 32 & 33).

On April 1, 2013, Petitioner filed a Motion for an Evidentiary Hearing as well as a third Motion for Summary Judgment. (Docs. 35 & 36). Also, on April 1, 2013, Petitioner filed a brief regarding his third Motion for Summary Judgment. (Doc. 37). Additionally, on April 1, 2013, Petitioner filed his Traverse in support of his habeas petition with Exhibits. (Docs. 38-41). On April

16, 2013, Petitioner filed a supplemental brief in support of his Traverse as well as supplemental exhibits. (Docs. 47 & 48). Thus, Petitioner's habeas petition is ripe for disposition.

On April 25, 2013, Petitioner filed a so-called, 1-page "Motion To Disposition Summary Judgment." (Doc. 50). Petitioner requests the Court to dispose of his Motions for Summary Judgment since Respondents did not oppose them and, since he claims that he is being illegally confined in prison and that there is no genuine issue of fact in dispute. As discussed below, we find that Respondents were not required to respond to Petitioner's repetitive Summary Judgment Motions and that there is indeed a genuine dispute as to whether Petitioner is being illegally confined in prison as SCI-Mahanoy. We will address this dispute in detail when we issue our Memorandum addressing Petitioner's habeas petitions as well as the briefs and Exhibits submitted by the parties. As indicated, Petitioner just recently filed his supplemental brief in support of his Traverse. (Doc. 47).

We will deny Petitioner's **Docs. 32 and 36** Motions for Summary Judgment as well as his **Doc. 50** Motion. We will reserve ruling on Petitioner's Doc. 35 Motion for an Evidentiary Hearing until the time when we decide the merits of his ripe habeas petition. As we previously held in this case when we dismissed Petitioner's first Summary Judgment Motion, Petitioner's Motions for Summary Judgment are not appropriate in a habeas case. See *Cool v. Pennsylvania*, 2008 WL 2858310, \*2 (M.D. Pa. July 22, 2008). As in the *Cool* case, our Respondents have now responded to Petitioner's habeas petition and, to Petitioner's contention that the PBPP violated his due process rights with respect to his parole revocation hearing and that his confinement in prison is unlawful. Petitioner has filed his Traverse and supplement. Both parties filed Exhibits. As such, Petitioner's habeas petition is ripe. Thus, summary judgment is not appropriate. Therefore, we shall again dismiss Petitioner's Motions for Summary Judgment (Docs. 32 & 36) as well as his Doc. 50 Motion.



Finally, due to the numerous filings of Petitioner in this case and due to the fact that his habeas petition is now ripe, we will direct Petitioner to seek leave of court before he files any future documents in this case.

*tn*

**AND NOW, this 30 day of April, 2013, IT IS HEREBY ORDERED THAT:**

1. Petitioner's Motions for Summary Judgment (Docs. 32 & 36) are **DISMISSED**.
2. Petitioner's "Motion To Disposition Summary Judgment" (Doc. 50) is **DENIED**.
3. Petitioner is directed to seek leave of court before he files any future documents in this case.
4. The Clerk of court is directed not to docket any future filings of Petitioner without receiving prior permission from the Court to file them.



**THOMAS M. BLEWITT**  
United States Magistrate Judge

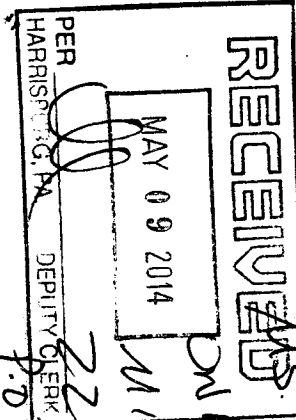
**Dated: April 30 2013**



NAME Craig Alford  
NUMBER 512486  
301 MOREA ROAD  
FRACKVILLE, PA 17932

INMATE MAIL  
PA DEPT OF CORRECTIONS

Hasler  
05/07/2014  
US POSTAGE  
\$01.40  
FIRST-CLASS MAIL  
ZIP 17932  
011012801642



YETTER KANE-CHIEF JUDGE  
ON THE SCARS DISTRICT COURT  
MIDDLE DISTRICT OF PA  
228 COALBURG STREET  
P.O. BOX 983  
HARRISBURG, PA 17108  
171080933